

CERTIFICATE OF FACSIMILE 571-273-8300	PATENT Applicant: Matthew J. Birdsall Serial No.: 10/701,262 Filed: 11/03/2003 Title: Metallic Composite Coating for Delivery of Therapeutic Agents from the Surface of Implantable Devices EXAMINER: CARLOS A. AZPURU Group Art Unit: 1615 Atty Docket No.: 53233-00001 (51298- 00001)
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2. Response to Restriction Requirement (2 pgs).

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Date: 2/17/06

Michelle Glasky
Michelle S. Glasky, Ph.D./Reg. No. 54,124

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FORM

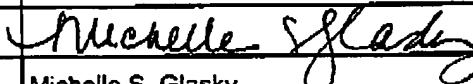
(to be used for all correspondence after initial filing)

		Application Number	10/701,262
		Filing Date	11/03/2003
		First Named Inventor	Matthew J. Birdsall
		Art Unit	1615
		Examiner Name	Carlos A. Azpuru
Total Number of Pages In This Submission	2	Attorney Docket Number	53233-00001

ENCLOSURES (Check all that apply)

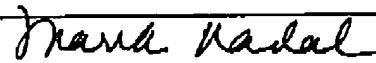
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
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Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Preston Gates & Ellis LLP		
Signature			
Printed name	Michelle S. Glasky		
Date	2/17/06	Reg. No.	54,124

CERTIFICATE OF TRANSMISSION/MAILING

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Signature	Maria Nadal		
Typed or printed name		Date	2/17/06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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571-273-8300**

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PATENT

Applicant: Matthew J. Birdsall
Serial No.: 10/701,262
Filed: 11/03/2003
Title: METALLIC COMPOSITE COATING FOR DELIVERY OF THERAPEUTIC AGENTS FROM THE SURFACE OF IMPLANTABLE DEVICES
Examiner: Carlos A. Azpuru
Group Art Unit: 1615
Atty Docket No.: 53233-00001 (51298-00001)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
RESPONSE TO RESTRICTION REQUIREMENT**

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Sir:

In a Restriction Requirement in the Office Action mailed on January 31, 2006, restriction of the claims into one of five groups was requested. Applicants elect Group V, claims 43-54 drawn to a medical device. As this application has been made special and in order to expedite prosecution of this application, Applicants have elected Group II and canceled claims 1-42.

Applicants submit that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe a telephonic interview would be helpful, the Examiner is invited to contact Louis C. Cullman at 949-253-0900.

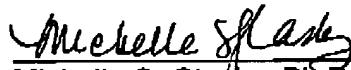
Application No.: 10/701,262
Group Art Unit: 1615
Applicant: Matthew J. Birdsall

PATENT
53233-00001 (51298-00001)

Although applicants believe that no fees are due with this response, the Commissioner is authorized to charge any fee which may be required in connection with this Notice or credit any overpayment to deposit account No. 50-3207.

Respectfully submitted,

Dated: 2/17/06



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Registration No. 54,124

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